REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2, 6, 7, 9-23, 25-31, 33-38, 49, and 50 are pending in this application, Claims 1, 31, 33-38, and 50 having been currently amended. Support for amended Claims 1, 31, 33-38, and 50 can be found, for example, in the original claims, drawings, and specification as originally filed.[1] No new matter has been added.

In the outstanding Office Action, the claims were objected to due to informalities; Claims 1-2, 6-7, 9-23, 25-31, 33-38, and 49-50 were rejected under 35 U.S.C. § 101; Claims 1-2, 6-7, 9-17, 25, 27-28, 30, 33-34, 36-37, and 49 were rejected under 35 U.S.C. § 103(a) as unpatentable over Friz (U.S. Patent No. 5,786,994) in view of McCormick (U.S. Patent No. 5,706,411); Claims 18 and 29 were rejected under 35 U.S.C. § 103(a) as unpatentable over Friz in view of McCormick and Official Notice; Claims 19 and 21-23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Friz in view of McCormick and Lie "An Algorithm for Preventive Maintenance Policy;" Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Friz in view of McCormick and Babula; Claim 26 was rejected under 35 U.S.C. § 103(a) as unpatentable over Friz in view of McCormick and Babula; Claims 31, 35, and 38 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ridolfo (U.S. Patent No. 6,735,549) in view of Friz and Mairs (U.S. Patent No. 5,874,960); and Claim 50 was rejected under 35 U.S.C. § 103(a) as unpatentable over Friz in view of McCormick and Ricq (Study of CdTe and CdZnTe detectors for X-ray computed tomography).

Applicants acknowledge with appreciation the courtesy of Examiner Nguyen in granting an interview in this case with Applicants' representative on December 9, 2009, during which time the issues in the outstanding Office Action were discussed as substantially

[1] See page 8, line 9 to page 9, line 6 and page 11, lines 11-20 of the specification.

summarized hereinafter and also on the Interview Summary Sheet. No agreement was reached during the interview pending a formal response to the outstanding Office Action.

In response to the objection of Claim 50, Applicants have amended the acronym "CT" to "computed tomography" to correct the informality noted in the outstanding Office Action. Accordingly, Applicants respectfully submit that the objection to Claim 50 has been overcome.

In response to the rejection of Claims 1-2, 6-7, 9-23, 25-31, 33-38, and 49-50 under 35 U.S.C. § 101, Applicants note that Claims 1, 31, and 36-38 are directed to an apparatus and recite hardware components, thus Claims 1, 31, and 36-38 are not directed towards software per se. In addition, independent Claims 33-35 are directed to a method of managing a medical equipment device. Thus, the method of Claims 33-35 are tied to a particular device (a medical equipment device), and are statutory in view of the Federal Circuit case, *In re Bilski*.

Accordingly, Applicants respectfully request that the rejection of Claims 1-2, 6-7, 9-23, 25-31, 33-38, and 49-50 under 35 U.S.C. § 101 be withdrawn.

In response to the rejections under 35 U.S.C. § 103(a), Applicants respectfully submit that amended independent Claim 1 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1 is directed to a medical equipment management apparatus including, *inter alia*:

> ... a reception unit connected to the network, configured to receive parameter data from the medical equipment located in the medical facility, ***the parameter data is information regarding a status of a specific component of the medical equipment***;
>
> a storage unit including a memory, connected to the network, configured to store the parameter data;

> a prediction unit connected to the network, configured ***to calculate an expectancy of the parameter data, which is a predicted parameter data value expected to be received in the future, and is calculated based on the stored parameter data***;
>
> a determination unit connected to the network, configured to determine a value of the expectancy based on the relation of the expectancy to a first predetermined threshold level and a second predetermined threshold level exceeding the first threshold level;
>
> a second reception unit connected to the network configured to receive a reference request for the expectancy from a requester;
>
> a providing unit connected to the network configured to allow the requester to refer to information of the expectancy based on the received reference request; and
>
> an informing unit configured to issue a notification message via the network to a first address when the expectancy is determined to be between the first threshold level and the second threshold level and to a second address when the expectancy is determined to exceed the second threshold.

Independent Claims 31 and 33-38 recite substantially similar features as Claim 1. Thus, the arguments presented below with respect to independent Claim 1 are also applicable to independent Claims 31 and 33-38.

Friz describes a system for monitoring performance conditions of a laser imager.[2] However, Friz fails to teach or suggest "a prediction unit connected to the network, configured to calculate an expectancy of the parameter data, which is a predicted parameter data value expected to be received in the future, and is calculated based on the stored parameter data," as recited in Applicants' independent Claim 1.

Page 8 of the outstanding Office Action asserts that Figure 3 of Friz describes the above feature and states that "software (reads on 'a prediction unit') capable of communicating with the medical imaging system over modem (Figure 3 label 48) and

[2] See column 1, at lines 6-9.

predicting a future status of the medical imaging system based on the current data (Figure 3 label 54, 56)." Applicants respectfully disagree.

In Friz, reports are generated based on the frequency of errors of the laser imager, however, an expectancy of the parameter data which is a predicted parameter data value expected to be received in the future based on a stored parameter data is not calculated. In other words, Friz merely keeps track of the frequency or number of errors that have ***occurred in the past*** and does not predict an expectancy of the parameter data, which is a ***predicted*** parameter value expected to be received in the future and ***is calculated based on the past number of errors***. In contrast, in Applicants' Claim 1, an expectancy of the parameter data which is a predicted parameter data value expected to be received in the future based on the stored parameter data is calculated, and it is the calculated expectancy of the parameter data which is compared to two threshold levels.

As explained during the interview, Friz also fails to teach or suggest "an informing unit configured to issue a notification message via the network to a first address when the expectancy is determined to be between the first threshold level and the second threshold level and to a second address when the expectancy is determined to exceed the second threshold," as recited in Applicants' Claim 1.

Columns 14 and 15 of Friz do not describe an expectancy of the parameter data, which is a predicted parameter data value expected to be received in the future based on the stored parameter data, that is compared to two threshold levels. Column 15, lines 3-6 of Friz merely describes that over consecutive polling periods, a system 46 continuously compares the running media usage value to a threshold to determine whether the particular laser imager should be sent an additional amount of imaging media 22. However, Friz does not describe that a predicted expectancy value, which is a data value expected to be received in the future (i.e. an expected future media usage value), is compared to the threshold. In other words, in

Friz, the current media usage value is compared to the threshold, a predicted future value is not compared to the threshold. Thus, Friz only describes that the frequency of the past errors are compared with a threshold.

In addition, in Applicants' Claim 1, the ***same*** expectancy of the parameter data is compared to a first threshold and a second threshold level. In contrast in Friz, ***two different types of data*** are compared to different thresholds. The first type of data is a running media usage value that is compared to a threshold, and a second type of data is the frequency of each type of error for a particular laser imager, and this frequency data is compared to a threshold. Thus, in Friz, the same expectancy is not compared to the two thresholds. Hence, Friz fails to teach or suggest "an informing unit configured to issue a notification message via the network to a first address when ***the expectancy*** is determined to be between the first threshold level and the second threshold level and to a second address when ***the expectancy*** is determined to exceed the second threshold," as recited in Claim 1.

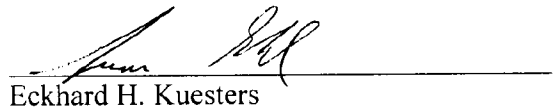
Thus, Applicants respectfully submit that independent Claims 1, 31, and 33-38 (and all claims depending thereon) patentably distinguish over Friz. Further, Applicants respectfully submit that the McCormick, Babula, Ridolfo, Mairs, Ricq, and Lie references fail to cure the above-noted deficiencies of Friz.

Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 103(a) be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Sameer Gokhale
Registration No. 62,618

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)